NOTICE OF INTENT

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Toxic Air Pollutant Ambient Air Standards
(LAC 33:III.5112) (AQ281)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air regulations, LAC 33:III.5112 (Log #AQ281).

This rule revises certain ambient air standards (AAS) for toxic air pollutants (TAPs) in LAC 33:III.5112. Compliance with the AAS is intended to reduce the general population's risk of exposure to toxic air pollutants. The latest health/risk and exposure data for approximately 200 toxic air pollutant AAS were reviewed. Based upon the review, the tables in LAC 33:III.5112 have been revised to: retain methyl ethyl ketone (MEK) as a state TAP on the supplemental list of TAPs; establish more stringent AAS for 15 TAPs; establish less stringent AAS for 6 TAPs; reclassify the air toxics class for 7 TAPs; and for the first time list a short term (8-hour) average in addition to a long term (annual) average for many Class I toxic air pollutants. In accordance with LAC 33:III.5109, the administrative authority is required to periodically review and update the AAS for toxic air pollutants found in LAC 33:III.5112, Table 51.2. The basis and rationale for this rule are to ensure that the AAS are reviewed and revised, as appropriate, based on the most recent health and risk information. Pursuant to the family impact requirements in R.S. 49:972, it is determined that this rule should have a positive effect on family earnings and budget by the decrease in spending for medical treatment due to healthier air in the environment.

The department has submitted a report to the Legislative Fiscal Office and the Joint Legislative Committee on the Budget demonstrating that the environmental and public health benefits outweigh the social and economic costs reasonably expected to result from the proposed rule. This report is published in the Potpourri section of the September 20, 2007, issue of the *Louisiana Register*.

A public hearing will be held on October 25, 2007, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Judith A. Schuerman, Ph.D., at the address given below or at (225) 219-3550. Parking in the Galvez Garage is free with a validated parking ticket.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ281. Such comments must be received no later than October 25, 2007, at 4:30 p.m., and should be sent to Judith A.

Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-3582 or by e-mail to judith.schuerman@la.gov. The comment period for this rule ends on the same date as the public hearing. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ281. This regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471.

Herman Robinson, CPM
Executive Counsel

Title 33
ENVIRONMENTAL QUALITY

Part III. Air

Chapter 51. Comprehensive Toxic Air Pollutant Emission Control Program

Subchapter A. Applicability, Definitions, and General Provisions

§5112. Tables—51.1, 51.2, 51.3

Table 51.1
Minimum Emission Rates Toxic Air Pollutants
Class I. Known and Probable Human Carcinogens

Compounds	CAS Number	Synonyms	Minimum Emission Rate (Pounds/year)
Acrylamide	79-06-1	Acrylic amide	25.0
* * *			
[See prior text in Acrylonitrile – Benzene]			
Beryllium (and compounds) [1]	7440-41-7	Glucinum	25.0
~~Bis (2-chloroethyl) ether~~	~~111-44-4~~	~~Dichloroethyl ether~~	~~2,180.0~~
1,3-Butadiene	106-99-0	Biethylene	97.5
Cadmium (and compounds) [1]	7440-43-9		25.0
* * *			
[See prior text in Chromium VI (and compounds) [1][12] – Vinyl chloride]			

Table 51.1
Minimum Emission Rates Toxic Air Pollutants
Class II. Suspected Human Carcinogens and Known or Suspected Human Reproductive Toxins

Compounds	CAS Number	Synonyms	Minimum Emission Rate (Pounds/year)
Acetaldehyde	75-07-0	Acetic aldehyde	700.0
~~Acetonitrile~~	~~75-05-8~~	~~Cyanomethane, Methyl cyanide~~	~~5,000.0~~
~~Acrolein~~	~~107-02-8~~	~~Acrylic aldhyde~~	~~25.0~~
~~Acrylamide~~	~~79-06-1~~	~~Acrylic amide~~	~~25.0~~
Allyl chloride	107-05-1	3-chloropropene	25.0
Aniline	62-53-3	Aminobenzene, Phenylamine	600.0
~~Antimony (and compounds) [1]~~	~~7440-36-0~~		~~37.5~~
~~Barium (and compounds) [1]~~	~~7440-39-3~~		~~37.5~~
Bis (2-chloroethyl) ether	111-44-4	Dichloroethyl ether	2,180.0
Biphenyl	92-52-4	1,1-biphenyl, Xenene	97.5
~~1,3 Butadiene~~	~~106-99-0~~	~~Biethylene~~	~~25.0~~
Carbon disulfide	75-15-0	Carbon bisulfide	2,400.0
* * *			
[See prior text in Carbon tetrachloride – Xylene (mixed isomers) [9]]			

Table 51.1
Minimum Emission Rates Toxic Air Pollutants
Class III. Acute and Chronic (Non-Carcinogenic) Toxins

Compounds	CAS Number	Synonyms	Minimum Emission Rate (Pounds/year)
Acetonitrile	75-05-8	Cyanomethane, Methyl cyanide	5,000.0
Acrolein	107-02-8	Acrylic aldehyde	25.0
Acrylic acid	79-10-7	Acroleic acid, Propene acid	400.0
Ammonia [10]	7664-41-7		1,200.0
Antimony (and compounds) [1]	7440-36-0		37.5
Barium (and compounds) [1]	7440-39-3		37.5

Table 51.1 **Minimum Emission Rates Toxic Air Pollutants** **Class III. Acute and Chronic (Non-Carcinogenic) Toxins**			
Compounds	**CAS Number**	**Synonyms**	**Minimum Emission Rate (Pounds/year)**
* * *			
[See prior text in n-Butyl alcohol - Hydrochloric acid]			
Hydrofluoric acid	7664-39-3	Fluoric acid, Hydrogen fluoride	63.0
Hydrogen cyanide	74-90-8	Cyclon	800.0
~~Hydrogen fluoride~~	~~7664-39-3~~	~~Fluoric acid~~	~~63.0~~
Hydrogen sulfide	7783-06-4		1,000.0
Maleic anhydride	108-31-6	Cis-Butenedioic anhydride	70.0
Methanol	67-56-1	Methyl alcohol	20,000.0
~~Methyl ethyl ketone~~	~~78-93-3~~	~~MEK~~	~~20,000.0~~
Methyl isobutyl ketone	108-10-1	MIBK	15,000.0
* * *			
[See Prior Text in Methyl methacrylate - Zinc (and compounds) [1][12]]			

Explanatory Notes:
[1]. - [12]. …

Table 51.2 **Louisiana Toxic Air Pollutant Ambient Air Standards**				
			Ambient Air Standard [14]	
Compounds	**CAS Number**	**Class**	**(µg/m³*)** **(8 Hour Avg.)**	**(µg/m³**)** **(Annual Avg.)**
Acetaldehyde	75-07-0	II	~~4,290.00 [13]~~	45.50 [15]
Acetaldehyde	75-07-0	II		~~45.50 [14]~~9.00 [16]
~~Acetonitrile~~	~~75-05-8~~	~~II~~	~~940.00 [13]~~	
Acetonitrile	75-05-8	~~II~~III	810.00 ~~[14]~~	
Acrolein	107-02-8	~~II~~III	5.40	
Acrylamide	79-06-1	~~II~~I	7.14 [16]	0.08
Acrylic acid	79-10-7	III	140.0	
Acrylonitrile	107-13-1	I	103.10 [16]	1.47
Allyl chloride	107-05-1	II	71.40	
Ammonia [11]	7664-41-7	III	640.00	
Aniline	62-53-3	II	181.00	
Antimony (and compounds) [1]	7440-36-0	~~II~~III	11.90	
Arsenic (and compounds) [1]~~[15]~~ [13]	7440-38-2	I	0.24 [16]	0.02
~~Asbestos (friable)~~	~~1332-21-4~~	~~I~~		~~+~~
Barium (and compounds) [1]	7440-39-3	~~II~~III	11.90	
Benzene	71-43-2	I	71.43 [16]	~~12.00~~ 30.00 [17]
Beryllium (and compounds) [1]	7440-41-7	I	0.05 [16]	0.04
~~Biphenyl~~	~~92-52-4~~	~~II~~	~~31.00 [13]~~	
Biphenyl	92-52-4	II	23.80~~[14]~~	
Bis (2-chloroethyl) ether	111-44-4	~~I~~II		0.30
1,3-Butadiene	106-99-0	~~II~~ I	104.76 [16]	~~0.92~~ 2.00 [17]
n-Butyl alcohol	71-36-3	III	3,620.00 [15]	
n-Butyl alcohol	71-36-3	III	1,452.00 [16]	
Cadmium (and compounds) [1]	7440-43-9	I	0.12 [16]	0.06
~~Carbon disulfide~~	~~75-15-0~~	~~II~~	~~86.00 [13]~~	
Carbon disulfide	75-15-0	II	71.40 ~~[14]~~	
Carbon tetrachloride	56-23-5	II		6.67
* * *				
[See prior text in Carbonyl sulfide – Chlorine dioxide]				
Chlorobenzene	108-90-7	II	1,100.00	
~~Chloroethane~~	~~75-00-3~~	~~II~~	~~62,900.00 [13]~~	
Chloroethane	75-00-3	II	6,290.00~~[14]~~	
Chloroform	67-66-3	II		4.30
Chloromethane	74-87-3	II		~~55.56~~ 90.00 [17]
Chloroprene	126-99-8	II	857.00	
Chromium VI (and compounds) [1] ~~[15]~~ [13]	7440-47-3	I	2.38 [16]	0.01
Copper (and compounds) [1]	7440-50-8	II	23.80	

Table 51.2
Louisiana Toxic Air Pollutant Ambient Air Standards

Compounds	CAS Number	Class	Ambient Air Standard [14] ($\mu g/m^3$*) (8 Hour Avg.)	Ambient Air Standard [14] ($\mu g/m^3$**) (Annual Avg.)
~~Cresol [4]~~	~~1319-77-3~~	~~III~~	~~276.00 [13]~~	
Cresol [4]	1319-77-3	III	~~238.00 [14]~~ 300.00 [17]	
Cumene	98-82-8	III	5,860.00	
Diaminotoluene	25376-45-8	II	181.00	
1,2-Dibromoethane	106-93-4	I		0.45 [15]
1,2-Dibromoethane	106-93-4	I	3,642.86 [16]	0.17 [16]
Dibutyl phthalate	84-74-2	II	119.00	
~~1,4-Dichlorobenzene~~	~~106-46-7~~	~~II~~	~~10,700.00 [13]~~	
1,4-Dichlorobenzene	106-46-7	II	1,430.00~~[14]~~	
1,2-Dichloroethane	107-06-2	II		3.85
* * *				
[See prior text in Dichloromethane - 1,2-Dichloropropane]				
1,3-Dichloropropylene	542-75-6	II	107.00	
~~2,4-Dinitrotoluene [5]~~	~~121-14-2~~	~~II~~	~~35.70 [13]~~	
2,4-Dinitrotoluene [5]	121-14-2	II	4.76~~[14]~~	
~~2,6-Dinitrotoluene [5]~~	~~606-20-2~~	~~II~~	~~35.70 [13]~~	
2,6-Dinitrotoluene [5]	606-20-2	II	4.76~~[14]~~	
1,4-Dioxane	123-91-1	II	2,140.00 [15]	
1,4-Dioxane	123-91-1	II	107.00 [16]	
Epichlorohydrin	106-89-8	I	452.38 [16]	1.00 [16]
Epichlorohydrin	106-89-8	I		83.00 [15]
Ethyl acrylate	140-88-5	II	476.00	
Ethyl benzene	100-41-4	II	10,300.00	
~~Ethylene glycol~~	~~107-21-1~~	~~III~~	~~3,020.00 [13]~~	
Ethylene glycol	107-21-1	III	2,380.00~~[14]~~	
Ethylene Oxide	75-21-8	I	42.86 [16]	1.00
Formaldehyde	50-00-0	I	21.90 [16]	7.69
* * *				
[See prior text in Glycol ethers [6] – Hydrazine]				
Hydrochloric acid	7647-01-0	III	180.00 [15]	
Hydrochloric acid	7647-01-0	III	71.00 [16]	
Hydrofluoric acid	7664-39-3	III	61.90 [15]	
Hydrofluoric acid	7664-39-3	III	9.80 [16]	
Hydrogen cyanide	74-90-8	III	260.00 [15]	
Hydrogen cyanide	74-90-8	III	120.00 [16]	
~~Hydrogen fluoride~~	~~7664-39-3~~	~~III~~	~~61.90~~	
Hydrogen sulfide	7783-06-4	III	330.00	
Maleic anhydride	108-31-6	III	23.80 [15]	
Maleic anhydride	108-31-6	III	9.50 [16]	
~~Manganese (and compounds) [1]~~	~~7439-96-5~~	~~II~~	~~27.60 [13]~~	
Manganese (and compounds) [1]	7439-96-5	II	4.76 ~~[14]~~	
Mercury (and compounds) [1]	7439-97-6	II	1.19 [15]	
Mercury (and compounds) [1]	7439-97-6	II	0.24 [16]	
* * *				
[See prior text in Methanol - Methyl isobutyl ketone]				
Methyl methacrylate	80-62-6	III	9,760.00 [15]	
Methyl methacrylate	80-62-6	III	4,881.00 [16]	
Naphthalene (and Methylnaphthalenes) [12]	91-20-3	II	1,190.00	
Nickel (and compounds) [1]	7440-02-0	I	23.81 [16]	0.21
Nickel (refinery dust) [1]	7440-02-0	I	35.71 [16]	0.42
* * *				
[See prior text in Nitric acid - Polynuclear aromatic hydrocarbons [7]]				
Propionaldehyde	123-38-6	III	4,290.00 [15]	
Propionaldehyde	123-38-6	III	1,143.00 [16]	
Propylene oxide	75-56-9	I	5,714.29 [16]	27.00
Pyridine	110-86-1	III	381.00 [15]	
Pyridine	110-86-1	III	74.00 [16]	
Selenium (and compounds) [1]	7782-49-2	II	4.76	
Styrene	100-42-5	II	5,070.00	

Table 51.2 Louisiana Toxic Air Pollutant Ambient Air Standards				
			Ambient Air Standard [14]	
Compounds	CAS Number	Class	(µg/m³*) (8 Hour Avg.)	(µg/m³**) (Annual Avg.)
Sulfuric acid	7664-93-9	III	23.80 [15]	
Sulfuric acid	7664-93-9	III	4.76 [16]	
* * * [See prior text in 1,1,2,2 Tetrachloroethane – Trichloroethylene]				
Vinyl acetate	108-05-4	III	830.00 [15]	
Vinyl acetate	108-05-4	III	446.00 [16]	
Vinyl chloride	75-01-4	I	61.90 [16]	~~1.19~~ 11.36 [17]
Vinylidene chloride	75-35-4	II		~~2.00~~ 200.00 [17]
Xylene (mixed isomers) [9]	1330-20-7	II	10,300.00	
Zinc (and compounds) [1] [10] ~~[15]~~ [13]	7440-66-6	III	119.00	

Explanatory Notes:

* Based on one forty-second of the selected occupational exposure level, or other data determined to be superior by the administrative authority.

** Based on unit risk factors and a residual risk of one in ten thousand, or other data determined to be superior by the administrative authority.

~~┼ Refer to standards pursuant to LAC 33:III.5151.~~

[1] Includes any unique chemical substance that contains the listed metal as part of that chemical's infrastructure, excluding barium sulfate. Barium sulfate has been delisted as a toxic air pollutant and should not be included as part of the metals and compound emissions. Concentrations based on µg(x)/m^3, where x is the elemental form of the metal.

[2]. - [11]. …

[12] Includes the following compounds: Naphthalene (CAS Number 91-20-3), Methylnaphthalene (CAS Number 1321-94-4), 1-Methylnaphthalene (CAS Number 90-12-0), 2-Methylnaphthalene (CAS Number 91-57-6).

~~[13] Effective until January 1, 2002.~~

~~[14] Effective starting date is January 1, 2002. Compliance with the revised ambient air standards is to be addressed in the permitting process after the effective date.~~

[~~15~~13] Zinc chromates and zinc arsenates are Class I TAPs regulated as carcinogens under Chromium VI (and compounds) and arsenic (and compounds) TAP categories.

[14] The AAS for acetaldehyde, acetonitrile, biphenyl, carbon disulfide, chloroethane, cresol, 1,4-dichlorobenzene, 2,4-dinitrotoluene, 2,6-dinitrotoluene, ethylene glycol, manganese (and compounds) was revised effective January 1, 2002.

[15] Effective until <INSERT DATE 3 YEARS FROM PROMULGATION OF THIS RULE>.

[16] Effective starting date is <INSERT DATE 3 YEARS FROM PROMULGATION OF THIS RULE>. Compliance with the revised ambient air standards is to be addressed in the permitting process after the effective date.

[17] Effective starting date is <INSERT DATE OF PROMULGATION OF THIS RULE>. Compliance with the revised ambient air standards is to be addressed in the permitting process after the effective date.

Table 51.3 Louisiana Toxic Air Pollutants Supplemental List*			
Compounds	CAS Number	Class	Synonyms
* * * [See prior text in Acetamide – Methyl bromide]			
Methyl ethyl ketone [5]	78-93-3	III	MEK
* * * [See prior text in Methyl hydrazine – Vinyl bromide]			

Explanatory Notes:

* – [4]. …

[5] Effective starting date is <INSERT DATE OF PROMULGATION OF THIS RULE>.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 and 2060 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 21:1331 (December 1995), amended LR 22:278 (April 1996), LR 24:1277 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1237 (July 1999), LR 26:2004 (September 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 33:**, LR 33:**.

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES LOG #: **AQ281**

Person Preparing Statement: Jim Orgeron Dept.: Environmental Quality

Phone: (225) 219-3578 Office: Environmental Assessment

Return Address: P O Box 4314
Baton Rouge, LA 70821-4314

Rule Title: Toxic Air Pollutant Ambient Air Standards (LAC 33:III.5112, Tables 51.1, 51.2, and 51.3)

Date Rule Takes Effect: Upon Promulgation

SUMMARY
(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no implementation costs or savings to state or local governments resulting from the promulgation of this rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Adjusting the AAS may require some facilities to install and operate additional control equipment. The additional control equipment should reduce emissions to the atmosphere. Facilities subject to this rule are billed annually on their emissions to the air. Since some emissions for which facilities are billed should be reduced, then the amount collected by the department will be less than the current collections. The amount less cannot be determined.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

Approximately 28 facilities face the cost of installing additional control equipment in order to comply with the ambient air standards (AAS) that this proposed rule will make more stringent. However some of these facilities may not be able to comply with more than one revised AAS. The capital costs are estimated to be between $10 and $12.5 million, and the annual operating costs are estimated to be between $3.8 and $4.2 million. Since it is estimated that these costs will exceed $1,000,000 in aggregate, a cost/benefit analysis has been developed for this proposal.

The economic benefits to people who avoid medical attention due to the revised standards cannot be estimated.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

An individual facility's cost of compliance could have a negative impact on competition and employment in that industrial sector. Facilities with lower emissions that are not subject to this rule may experience a positive impact on competition and employment.

Signature of Agency Head or Designee

Legislative Fiscal Officer or Designee

Herman Robinson, CPM, Executive Counsel
Typed Name and Title of Agency Head or Designee

Date of Signature

Date of Signature

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

The following information is requested in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The rule revises the tables at LAC 33:III.5112 in the following ways:

- retains methyl ethyl ketone (MEK) as a state toxic air pollutant (TAP) on the supplemental list of TAPs;
- establishes more stringent ambient air standards (AAS) for 15 TAPs;
- establishes less stringent AAS for 6 TAPs;
- reclassifies the air toxics class for 7 TAPs; and
- lists a short term (8-hour) average for the first time, in addition to a long term(annual) average, for many Class I TAPs.

B. Summarize the circumstances which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

LAC 33:III.5109 requires the department to periodically review and update ambient air standards for each toxic air pollutant listed in LAC 33:III.5112.Table 51.2.

C. Compliance with Act 11 of the 1986 First Extraordinary Session
(1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

No increase in the expenditure of funds is anticipated.

(2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) ____ Yes. If yes, attach documentation.
(b) ____ No. If no, provide justification as to why this rule change should be published at this time.

This question is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 07-08	FY 08-09	FY09-10
PERSONAL SERVICES			
OPERATING EXPENSES			
PROFESSIONAL SERVICES			
OTHER CHARGES			
EQUIPMENT			
TOTAL	-0-	-0-	-0-
MAJOR REPAIR & CONSTR			
POSITIONS (#)	-0-	-0-	-0-

2. Provide a narrative explanation of the costs or savings shown in "A.1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

No change in costs or savings is anticipated.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 07-08	FY 08-09	FY09-10
STATE GENERAL FUND			
AGENCY SELF-GENERATED			
DEDICATED			
FEDERAL FUNDS			
OTHER (Specify)			
TOTAL	-0-	-0-	-0-

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

No funds are necessary to implement these rule revisions.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

There are no local government units to which this rule is applicable.

2. Indicate the sources of funding of the local governmental unit which will be affected by these costs or savings.

This question is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY 07-08	FY 08-09	FY09-10
STATE GENERAL FUND			
AGENCY SELF-GENERATED	(minimal)	(minimal)	(minimal)
RESTRICTED FUNDS*			
FEDERAL FUNDS			
LOCAL FUNDS			
TOTAL	(minimal)	(minimal)	(minimal)

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

Adjusting the AAS may require some facilities to install and operate additional control equipment. The additional control equipment should reduce emissions to the atmosphere. Facilities subject to this rule are billed annually on their emissions to the air. Since some emissions for which facilities are billed should be reduced, then the amount collected by the department will be less than the current collections. The amount less cannot be determined.

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

Facilities affected by LAC 33:III.Chapter 51 will be required to comply with revised ambient air standards (AAS) at their fenceline. For those facilities unable to comply with the lower AAS, the installation of additional control equipment may be required. Using estimated costs in 1993 dollars, capital costs are estimated to be between $7.2 and $8.7 million for all affected facilities as a whole. The overall increase in annual operating costs is estimated to be between $2 and $3 million. Adjusting to present day costs, the estimates become $10 to 12.5 million for additional capital costs and $3.8 to $4.2 million for annual operating costs.

By revising these AAS, the department expects that the general public will experience a reduction in symptoms due to exposures to these toxic air pollutants, and that trips to medical institutions for treatment will decrease.

B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

It is difficult to anticipate how affected facilities will comply with the revised AAS. Some facilities will be able to comply without any impact on receipts and/or income. Other facilities may be required to install additional control equipment in order to comply. The facilities that install control equipment may or may not pass these additional costs to the consumer. Only those facilities requiring controls and that do not pass this cost on to the consumer will experience a decrease in income, but the amount of the decrease cannot be estimated.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

Some facilities will install additional controls to comply with the proposed rule. The costs of installing and operating additional controls may have an effect on competition and employment. An individual facility's cost of compliance could have a negative impact on competition and employment in that industrial sector. Facilities with lower emissions that are not subject to this rule may experience a positive impact on competition and employment.